

ENROLLED ORIGINAL

## A RESOLUTION

15-367

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To approve tax increment financing for a hotel project at 1000 K Street, N.W.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Tax Increment Revenue Bonds 1000 K, L.L.C. Project Approval Resolution of 2003".

Sec. 2. Definitions.

For the purpose of this resolution, the term:

(1) "Bonds" means the District of Columbia tax increment revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(2) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.

(3) "Council" means the Council of the District of Columbia.

(4) "Development Agreement" means the Development Agreement between the District and Development Sponsor setting forth the terms and conditions upon and pursuant to which the District will issue the Bonds and Developer will develop the Project.

(5) "District" means the District of Columbia.

(6) "Project" means the financing, refinancing, or reimbursing of costs incurred for the acquisition, construction, installing, and equipping of a 383 room upscale Embassy Suites hotel with 165 parking spaces, pool, fitness center, restaurant, and meeting rooms, on land described as Lot 23 in Square 343 in the District of Columbia, all subject to and in accordance with the Development Agreement.

(7) "Tax increment" has the same meaning as given the term in the District of Columbia Home Rule Act of 1973, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq.*).

Sec. 3. Establishment of TIF area; allocation of tax increments; approval of development agreement.

(a) There is hereby established the "1000 K, L.L.C. Project TIF Area," which shall

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exceed in any year the amount of the tax increments allocated to the Project projected to be received by the District during such year.

(5) The Bonds shall be secured by a pledge of the tax increments allocated to the Project pursuant to section 3(b).

(b) The Bonds may have any other terms and conditions consistent with this resolution and the Tax Increment Financing Act of 1998, effective September 11, 1998 (D.C. Law 12-1213; D.C. Official Code § 2-1217.01 *et seq.*).

(c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Chief Financial Officer, or an authorized delegate of the Chief Financial Officer, and attested by the Secretary of the District of Columbia. The official seal of the District of Columbia, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.

Sec. 5. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

15-368

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To confirm the appointment of Ms. Lenora Cole Alexander to the District of Columbia Board of Elections and Ethics.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Elections and Ethics Lenora Cole Alexander Confirmation Resolution of 2003".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Ms. Lenora Cole Alexander, Ph.D.  
3020 Brandywine Street, N.W.  
Washington, D.C. 20008  
(Ward 3)

as a member of the District of Columbia Board of Elections and Ethics, established by section 3 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.03), replacing Jonda R. McFarlane, whose term ended July 7, 2002, for a term to end July 7, 2005.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-369

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To confirm the Mayoral reappointment of Mr. Matthew S. Watson as a member of the Contract Appeals Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract Appeals Board Matthew S. Watson Confirmation Resolution of 2003".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Matthew S. Watson  
2301 N Street, N.W., #116  
Washington, D.C. 20037  
(Ward 2)

as a member of the Contract Appeals Board established by section 901 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-309.01), for a term to end July 28, 2007.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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## A RESOLUTION

15-370

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To accept the proposed transfer of jurisdiction over public land in the District of Columbia from the United States, by the National Park Service, to the District of Columbia for open space purposes, and to implement the approved plans for the Arena Stage project proposed for Lot 129, Square 472, all as shown on the approved plans in Board of Zoning Adjustment Application No. 17033, of that certain land in the District of Columbia, being known as Lot 812 in Square 391, Lot 811 in Square S 439, and Lot 820 in Square 472.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Transfer of Jurisdiction of Lot 812 in Square 391, Lot 811 in Square S 439 and Lot 820 in Square 472 Approval Resolution of 2003".

Sec. 2. Pursuant to section 1 of An Act To authorize the transfer of jurisdiction over public land in the District of Columbia, approved May 20, 1932 (47 Stat. 161; D.C. Official Code § 10-111), the District of Columbia government accepts the transfer of jurisdiction from the United States, by the National Park Service, to the District of Columbia for open space purposes and to implement the approved plans for the Arena Stage project proposed for Lot 129 in Square 472, which includes open space, roof and wall projections, a single means of vehicular access, and pedestrian access to the proposed facility, all as shown on the approved plans in Board of Zoning Adjustment Application No. 17033, of that certain land in the District of Columbia, being known as Lot 812 in Square 391, Lot 811 in Square S 439, and Lot 820 in Square 472.

Sec. 3. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, to the Surveyor of the District of Columbia, to the Director of the National Capital Planning Commission, to the Speaker of the United States House of Representatives, to the President Pro Tempore of the United States Senate, and to the Director of the National Park Service.

Sec. 4. The Council adopts the fiscal impact statement in the committee print as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

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## ENROLLED ORIGINAL

## A RESOLUTION

15-371

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To approve the transfer of site control of the old Washington Convention Center to the Washington Convention Center Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Transfer of Site Control of the Old Washington Convention Center Property to the Washington Convention Center Authority Approval Resolution of 2003".

Sec. 2. (a) Pursuant to section 204 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code §10-1202.04(d)), the Mayor transmitted to the Council a request for Council approval of the transfer of site control of the old Washington Convention Center, comprised of Lot 848 in Square 374 and an adjoining parcel described as United States Reservation 174 ("Old Washington Convention Center Property"), to the Washington Convention Center Authority.

(b) The Council hereby approves the transfer of site control of the Old Washington Convention Center Property to the Washington Convention Center Authority.

Sec. 3. The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, both to the Mayor and to the chairperson of the Board of Directors of the Washington Convention Center Authority.

Sec. 5. This resolution shall take effect immediately.

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A RESOLUTION

15-372

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To approve the proposed Lease Agreement between the District of Columbia and the Washington Convention Center Authority for Lot 848, Square 374.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Proposed Lease Agreement with Washington Convention Center Authority Approval Resolution of 2003".

Sec. 2. (a) Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), the Mayor transmitted the proposed Lease Agreement between the District of Columbia and the Washington Convention Center Authority for Lot 848, Square 374 to the Council for review and approval.

(b) The Council approves the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution to the Mayor upon its adoption.

Sec. 5. This resolution shall take effect immediately.

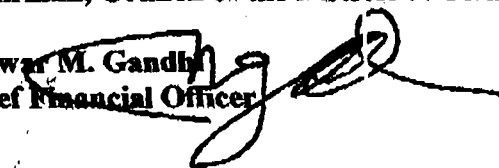
Government of the District of Columbia  
Office of the Chief Financial Officer

Natwar M. Gandhi  
Chief Financial Officer



**MEMORANDUM**

**TO:** The Honorable Linda W. Cropp  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi  
Chief Financial Officer 

**DATE:** NOV -3 2003

**SUBJECT:** Fiscal Impact Statement: "Transfer of Site Control of the Old Washington Convention Center Property to the Washington Convention Center Authority Approval Resolution of 2003"

**REFERENCE:** 15-485

**Conclusion**

Funds are sufficient in the proposed FY 2004 through FY 2007 budget and financial plan to enact the "Transfer of Site Control of the Old Washington Convention Center Property to the Washington Convention Center Authority Approval Resolution of 2003". However, under the terms of the lease, the District would potentially incur a currently unquantifiable future liability if it terminated the lease early.

This fiscal impact statement supercedes the version entitled "Lease of Parcels of District Owned and Controlled Property to the Washington Convention Center Authority Approval Resolution of 2003", which was signed and transmitted to Council on July 7<sup>th</sup>, 2003.

**Background**

The proposed resolution would approve a lease for the Old Washington Convention Center Property<sup>1</sup> to the Washington Convention Center Authority (WCCA) for \$100 per month for up to 10 years. The WCCA would be required to raze the site, construct a parking facility and public green space on the property. The District would retain the right to terminate the lease in order to turn the property over to a developer for permanent use. If the District prematurely terminates the

<sup>1</sup> Lot 848 Square 374 and an adjoining parcel described as U.S. Reservation 174

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The Honorable Linda W. Cropp

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lease, it would be required to reimburse the WCCA for site improvements if the WCCA has not been fully reimbursed for its improvements of the parcel via net operating profits from the parking facility.

#### **Financial Plan Impact**

Funds are sufficient in the proposed FY 2004 through FY 2007 budget and financial plan to implement the "Transfer of Site Control of the Old Washington Convention Center Property to the Washington Convention Center Authority Approval Resolution of 2003". However, under the terms of the lease, the District would potentially incur a currently unquantifiable future liability if it terminated the lease early. The potential revenue possible from alternate uses of this land have not been included in future revenue estimates.

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## A RESOLUTION

15-373

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To declare the existence of an emergency with respect to the need to amend An Act To establish a code of a law for the District of Columbia to require that an accused person who has been found mentally incompetent to stand trial or to participate in transfer proceedings and is to be released from detention in the criminal or transfer proceeding be remanded by the court to the hospital for detention pending a hearing on a civil commitment petition that was filed prior to the court's determination that the person be released, to provide that a person who is so detained may request a probable cause hearing within 7 days of the remand order, to require that requested probable cause hearing be held within 24 hours of receipt of the request, and to require that a court stay for a period not to exceed 48 hours execution of an order releasing an accused person who has been found mentally incompetent to stand trial or to participate in transfer proceedings, and for whom a civil commitment petition has not been filed, to afford the appropriate authority an opportunity to initiate proceedings for the person's emergency hospitalization under Chapter 5 of Title 21 of the District of Columbia Official Code.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Prevention of Premature Release of Mentally Incompetent Defendants Emergency Declaration Resolution of 2003".

Sec. 2. (a) The Prevention of Premature Release of Mentally Incompetent Defendants Temporary Amendment Act of 2003, effective June 12, 2003 (D.C. Law 14-311; 50 DCR 1107), is expected to expire on January 23, 2004.

(b) This emergency legislation is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Prevention of Premature Release of Mentally Incompetent Defendants Emergency Amendment Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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## A RESOLUTION

15-374

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To declare the existence of an emergency with the respect to the need to extend the terms of current members of the Washington Convention Center Authority Advisory Committee until June 30, 2004.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention Center Authority Advisory Committee Continuity Second Emergency Declaration Resolution of 2003".

Sec. 2. Emergency circumstances.

- (a) The Washington Convention Center Authority began construction of the new convention center in August 1998.
- (b) The terms of the appointees of the current Washington Convention Center Authority Advisory Committee ("WCCAAC") will expire on December 31, 2003.
- (c) The WCCAAC serves as an adviser to the WCCA Board of Directors and has proven to provide good recommendations to the Board over the years.
- (d) The WCCAAC maintains a wealth of expertise in the areas of community relations, financial, hotel industry, restaurant affirmative action and union relations.
- (e) The WCCAAC has proven to be a necessary entity and mediator on behalf of the Shaw community, the Convention Center, and the District government.
- (f) There is a need to maintain the continuity of the WCCAAC.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that Washington Convention Center Advisory Committee Continuity Emergency Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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## A RESOLUTION

15-375

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To declare the existence of an emergency with respect to the need to approve the arbitration award in favor of the District of Columbia Public Schools and against the American Federation of State, County and Municipal Employees, District Council 20, Local 1959, AFL-CIO, and the negotiated settlement agreement between the District of Columbia Board of Education and the American Federation of State, County and Municipal Employees, District Council 20, Local 1959, which incorporates the provisions of the arbitration award.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Arbitration Award and Negotiated Settlement Agreement for Employees of the District of Columbia Board of Education in Compensation Unit 18 Emergency Declaration Resolution of 2003".

Sec. 2. (a) The District of Columbia Board of Education ("Board") and its employees in Compensation Unit 18, members of the American Federation of State, County and Municipal Employees, District Council 20, Local 1959, AFL-CIO ("AFSCME Local 1959"), have not entered into a negotiated settlement agreement on working conditions, wages, and hours since expiration of their collective bargaining agreement on September 30, 1993.

(b) The only wage increase received by Compensation Unit 18 since fiscal year 1993 was the result of a Memorandum of Understanding between the Board and AFSCME Local 1959, effective October 1, 1998, which resulted in a flat hourly wage increase for all affected employees of 13% for bus drivers and 11% for bus attendants.

(c) During approximately 18 months of negotiations for a current contract, the Board and AFSCME Local 1959 were unable to reach an agreement on wages and, following mediation, engaged in interest arbitration.

(d) The arbitrator entered an award on October 9, 2003, in favor of the Board and against AFSCME Local 1959, affirming the Board's wage proposal.

(e) AFSCME Local 1959 only represents bus drivers and bus attendants, who are responsible for transporting children with special needs requiring such related services under the federal Individuals with Disabilities Education Act, as amended.

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(f) Unless legislative action is immediately taken to implement the arbitration award and negotiated settlement agreement incorporating that award, AFSCME Local 1959 will continue to be paid below the market average, and will be unable to move from a single step compensation system to a multiple step system that rewards longevity and creates a stable work force to serve children with special needs.

Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Compensation Award and Settlement Agreement for Employees of the District of Columbia Board of Education in Compensation Unit 18 Emergency Approval Resolution of 2003 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-376

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To approve, on an emergency basis, the arbitration award in favor of the District of Columbia Public Schools and against the American Federation of State, County and Municipal Employees, District Council 20, Local 1959, AFL-CIO, and the negotiated settlement agreement between the District of Columbia Board of Education and the American Federation of State, County and Municipal Employees, District Council 20, Local 1959, which incorporates the provisions of the arbitration award.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Arbitration Award and Negotiated Settlement Agreement for Employees of the District of Columbia Board of Education in Compensation Unit 18 Emergency Approval Resolution of 2003".

Sec. 2. Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code §1-617.17(j)), the Council approves the October 9, 2003 arbitration award in favor of the District of Columbia Board of Education and against the American Federation of State, County and Municipal Employees, District Council 20, Local 1959, AFL-CIO ("arbitration award"), and the negotiated settlement agreement, which incorporates the provisions of the arbitration award, both of which were transmitted to the Council by the Mayor, following its adoption by the Board at a meeting on November 19, 2003.

Sec. 3. This approval shall take effect immediately.

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## A RESOLUTION

15-377

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To declare the existence of an emergency with respect to the need to exempt from taxation certain real property of the Southeast Neighborhood House and to provide real property tax relief to the non-profit organization.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Southeast Neighborhood House Real Property Tax Exemption and Equitable Real Property Tax Relief Emergency Declaration Resolution of 2003".

Sec. 2. (a) Southeast Neighborhood House ("SENH") has requested that the District of Columbia provide it with equitable tax relief by making it tax-exempt and forgiving all real property taxes, interest, penalties, fees, and other related charges against the SENH for the period October 1, 1996 to September 30, 2002 on real property located on the 1200 block of Maple View Place, S.E., and the 2200 block of Mount View Place, S.E., Washington, D.C. (lots 0808, 0904, 0905, square 5802) to allow SENH to obtain a clear title and commence much needed renovations to the property.

(b) The planned tax relief will enable SENH, a nonprofit entity, to foster confidence in its current donors so that they can continue making their donations to help support SENH's activities.

(c) To complete the long overdue renovations to the property, without further deterioration to the property, it is essential that the tax relief occur as expeditiously as possible.

(d) The Council has previously passed legislation on an emergency and temporary basis. The temporary legislation, D.C. Law 14-260, expired on November 7, 2003.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Southeast Neighborhood House Real Property Tax Exemption and Equitable Real Property Tax Relief Emergency Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

15-378

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 16, 2003

To declare the existence of an emergency with respect to the need to bring the District's documents administrative cost assessment into closer conformity with the federal administrative cost schedule.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Documents Administrative Cost Assessment Amendment Emergency Declaration Resolution of 2003".

Sec. 2. (a) There is an immediate need to bring the District's documents administrative cost assessment into closer conformity with the federal administrative cost schedule.

(b) The Council currently is responding to a number of requests for documents dating back more than five years. Retrieval and replication require a significant expenditure of staff time as well as resources that far exceed the \$10 maximum currently set forth in the law. For these reasons, it is in the public interest to substantially conform our law to the federal requirements.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Documents Administrative Cost Assessment Emergency Amendment Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.